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# ASCS Background Information

Reserve

## CONSERVATION/ ENVIRONMENTAL PROTECTION PROGRAMS

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BI No. 5

United States  
Department of  
Agriculture  
  
Agricultural  
Stabilization and  
Conservation  
Service

May 1982

### AGRICULTURAL CONSERVATION PROGRAM

#### Purpose of ACP

The Agricultural Conservation Program (ACP) is a joint effort by agricultural producers, Federal and State agencies, and other groups to restore and protect the Nation's land and water resources and preserve the environment.

The ACP provides cost-sharing with farmers and ranchers in carrying out conservation and environmental protection practices on agricultural land that result in long-term public benefits.

The ACP is designed to: help prevent soil erosion and water pollution; protect and improve productive farm and ranch land; conserve water used in agriculture; preserve and develop wildlife habitat; and encourage energy conservation measures.

Only those practices that significantly contribute to these objectives and that are not required as a condition of receiving assistance through other Federal programs are eligible for cost-share assistance. Practices that are primarily production oriented or that result in significant economic benefits to the farmer and rancher are not eligible for ACP cost-sharing.

#### Scope of Program

The ACP is national in scope, and is available for participation by all farmers and ranchers who, through consultation with others in the conservation and environmental field, establish the need for cost-share assistance in solving resource conservation and agricultural pollution problems.

The practices approved for cost-sharing must result in long-term and community-wide benefits, and must be practices that the farmer or rancher would not, or could not, be expected to undertake without financial and technical assistance. Annual, short-term, and long-term contracting arrangements are available.

#### Legislative Authority

The ACP is authorized in sections 7 to 15, 16 (a) and 17 of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended and supplemented by Title X of the Agriculture and Consumer Protection Act of 1973. The program's goals and authorities were updated by the Food and Agriculture Act of 1977, and were further modified under the

Agriculture, Rural Development, and Related Agencies Appropriations Act for fiscal year 1979 and section 259 of the Energy Security Act of 1980. Funds for the program are provided annually through the regular appropriation process.

Program  
Administration

The ACP is administered by Agricultural Stabilization and Conservation (ASC) State and county committees, working under the general direction of the Agricultural Stabilization and Conservation Service (ASCS) of the U.S. Department of Agriculture. ASCS State and county offices serve as focal points for the administration of the ACP. The Soil Conservation Service (SCS), the Forest Service (FS), and the State forestry agency are responsible for providing technical program guidance to ASC committees as well as technical assistance to farmers in carrying out conservation practices. The county Cooperative Extension Service provides educational support.

To assure that the program provides effective solutions to local conservation problems, the county ASC committee periodically meets with the county program development group to identify the problems and develop conservation practices designed to solve them. These practices are included by the ASC county committee in the county agricultural conservation program.

The county ASC committee works with farmers and ranchers to encourage their adoption of the most needed practices and assigns priorities to designated practices.

The State ASC committee reviews and approves the county program, which must also be approved by the Secretary of Agriculture, before it is implemented.

ACP funds authorized annually by Congress are allocated to the State ASC committee. The Secretary of Agriculture determines the amount of funds each State receives, based on the State's soil and water conservation needs. The State ASC committee allocates the funds to the county ASC committees which allocate the funds to farmers and ranchers. The maximum cost-share limitation for ACP is \$3,500 per person. (A person is defined as an individual, group partnership, corporation, or other legal entity owning or operating a farm or ranch.)

Cost-sharing is available under annual agreements or long-term agreements. Requests for long-term agreements can be accepted for complete farms for a period of three to ten years, or for a portion of a farm for a period of three to five years

The Federal Government may share up to 75 percent of the cost to install practices under annual agreements (or at a higher rate if authorized by the Secretary of Agriculture). The Federal share of the cost depends on the public benefits resulting from the conservation or pollution abatement practice. Before any long-term agreement can be approved, producers must indicate a readiness to carry out practices as scheduled over the next three to five years.



Producers must agree to maintain practices for a specified number of years. Producers who fail to do so are required to refund all or part of the Federal funds provided for installation of the practice.

Farmers or ranchers may enter into pooling agreements to jointly solve mutual conservation problems.

Program  
Participation

To participate, the farmer files a request with the ASC county committee (at the ASCS county office) for ACP cost-sharing. An ACP practice must be approved before the practice is started.

The county committee will notify the applicant by letter that the request for cost-sharing has been approved subject to a determination by SCS, on certain practices, that the practice is feasible. For long-term agreements, a conservation plan must be developed by a representative of SCS and approved by the Soil and Water Conservation District before final approval by the county ASC committee can be obtained.

After the practice is completed, the farmer certifies to the county office that all installation specifications, technical standards, and any state or local applicable regulations have been met. The farmer pays the total cost of establishing the approved practices and is then reimbursed for the government's share of the cost.

Eligible  
Practices

Among practices eligible for cost-sharing assistance under ACP are establishment or improvement of permanent vegetative cover, contour or stripcropping systems, and terrace systems; development of springs, seeps and wells; installation of pipelines, storage facilities, and other measures intended to provide erosion control on range or pastureland; installation of water impoundment reservoirs for erosion control, conservation, and environmental and wildlife enhancement; planting trees and shrubs and improving timber stands for protection against wind and water erosion and to protect trees for timber production; and development of new or rehabilitation of existing shallow water areas to support food, habitat and cover for wildlife. (Landowners participating under the acreage reduction program must establish minimum cover on designated conserving use acreage without cost-sharing; however, other types of ACP practices, such as terraces or diversions, are eligible for ACP assistance on diverted acreage.)

For other practices that are or may be available for ACP cost-sharing assistance, agricultural landowners and operators should contact their local ASCS county office.

## EMERGENCY CONSERVATION PROGRAM

### Purpose of ECP

The Emergency Conservation Program (ECP) provides emergency funds for sharing with farmers and ranchers the cost of rehabilitating farmland damaged by wind erosion, floods, hurricanes, or other natural disasters, and for carrying out emergency water conservation measures during periods of severe drought.

The natural disaster must create new conservation problems, which, if not treated, would: (1) impair or endanger the land; (2) materially affect the productive capacity of the land; (3) represent unusual damage which, except for wind erosion, is not the type likely to recur frequently in the same area; and (4) be so costly to repair that Federal assistance is or will be required to return the land to productive agricultural use. Conservation problems existing prior to the disaster involved are not eligible for cost-sharing assistance. ECP is administered by Agricultural Stabilization and Conservation (ASC) State and county committees working under the direction of the Agricultural Stabilization and Conservation Service (ASCS), an agency of the U.S. Department of Agriculture.

### Legislative Authority

The Emergency Conservation Program was established by the Agricultural Credit Act of 1978, Public Law 95-334, Title IV, 16 U.S.C. 2201. Funding for the program is appropriated, on an annual basis, by Congress.

Prior to passage of the 1978 Agricultural Credit Act, emergency conservation measures were authorized by Public Law 85-58, the Third Supplemental Appropriation Act, enacted June 21, 1957. The 1978 Act gives ECP continuing legislative status and provides new authorities, in addition to the assistance authorized under the earlier legislation.

### Program Administration

Subject to the availability of funds, the ASC county committee, in consultation with the ASC State committee, is authorized to implement the ECP for eligible farmers for all disasters except drought. When severe drought conditions exist, the determination to implement drought practices will be made by the Deputy Administrator, State and County Operations (DASCO), ASCS. Cost-share levels up to 64 percent are set by the county committee. Lower levels may be established by State and county committees.

Eligibility for ECP assistance is determined by the county committee on an individual basis, taking into account the type and extent of damage. The county committee or its representative makes an on-site inspection of the area prior to approving the request to determine if the damage

is of sufficient magnitude to warrant cost-sharing. Individual or cumulative requests for cost-sharing of \$10,000 or less per person per disaster may be approved by the county committee, and of \$20,000 or less by the State committee after consulting with the ASCS Area Director. Cost-sharing over \$20,000 must be approved by DASC0. (A person is defined as an individual, group, partnership, corporation, or other legal entity owning or operating a farm or ranch.) Technical assistance is provided by the Soil Conservation Service, an agency of the U.S. Department of Agriculture.

Emergency  
Practices

Emergency practices to rehabilitate farmland damaged by wind erosion and other disasters, including drought, may include debris removal, providing water for livestock, fence restoration, grading and shaping of farmland, restoring structures, and water conservation measures. Other emergency conservation measures may be authorized by the county committee with approvals by the State committee and the Director, Conservation and Environmental Protection Division, ASCS, to develop a special practice needed to rehabilitate damaged farmland not covered by one of the approved practices.

Farmers or ranchers may enter into pooling agreements to jointly solve mutual conservation problems.

FORESTRY INCENTIVES PROGRAM

Program  
Objectives

The Forestry Incentives Program (FIP) aims to increase the Nation's supply of timber products from private non-industrial forest lands. The program encourages landowners to plant trees on suitable open lands or cutover areas, and to perform timber stand improvement work for production of timber and other related forest resources.

Private nonindustrial landowners control the majority of forest lands in the Nation, but these lands are not fully utilized. Many landowners do not have the funds to make long-term investments in developing and improving forest areas. FIP is designed to share this expense with private, eligible landowners.

Scope of  
Program

To meet program objectives and utilize funds cost-effectively, FIP is offered only in designated counties where a suitable number of ownerships capable of producing at least 50 cubic feet of timber per year are available. FIP agreements are limited to eligible ownerships of 10 to 1,000 acres. Landowners owning more than 1,000 but less than 5,000 acres may obtain an exception to this acreage limitation where the Secretary of Agriculture determines it is in the public interest.



Legislative  
Authority

The FIP is authorized by the Cooperative Forestry Assistance Act of 1978 Public Law 95-313 (92 Stat. 367) 16 U.S.C. 2103 Section 4. Funds for the program are authorized annually by Congress.

Program  
Administration

The FIP is reviewed annually at the national, State, and county levels by the Agricultural Stabilization and Conservation Service (ASCS) in consultation with the Forest Service (FS) and a committee of at least five State foresters or equivalent State officials. The program is jointly administered by ASCS and FS in cooperation with State forestry agencies. Cost-share requests and payments are administered by the ASCS county committees with technical forestry assistance provided by State forestry agencies. The Secretary of Agriculture periodically reports to Congress on the progress of the program.

Funds for cost-share use are allocated in each program year to ASCS State committees on the basis of a survey of total eligible private timber acreage and acreage potentially suitable for production of timber products. The ability of a given State to operate the program effectively is also considered.

The ASC State committee, in consultation with the State forester, develops a State FIP program that reflects the State's forestry needs, including a list of designated counties, eligible forestry practices, applicable cost-share rates, and the requirements, conditions, and specifications for the practices.

The State program is submitted to the national level for review and approval. Once the State program is approved, the State ASC committee allots the funds to the ASC county committees who use them to help landowners apply forestry practices on their land.

Landowner  
Agreements

Cost-share agreements between the landowner and the Secretary of Agriculture are based on forest management plans developed by the landowner in cooperation with and approved by the State forestry agency. Consideration is given to enhancing other related forest resources as well as cost-effective timber production.

Landowners apply for participation in the program at the county Agricultural Stabilization and Conservation Service office which asks the State forestry agency to examine the property, develop the Forest Management Plan (if needed), and certify the need for the proposed practice. The State forestry agency provides technical advice and will help locate approved vendors for getting the work accomplished. The State forestry agency must certify that the project has been completed satisfactorily in accordance with the approved plan before payment is made.



The county ASCS office handles all payments earned under the program.

The FIP also provides for help in obtaining required technical service for forestry practices through special arrangements with the U.S. Forest Service and the State foresters.

Cost-sharing assistance cannot exceed 65 percent of the actual, average, or estimated cost of performing the practice, as determined jointly by the State Forester and the State and county ASC committee. In some States, assistance is available under long-term agreements of three to ten years.

The maximum cost-shares that a person can earn annually for forestry practices under FIP is \$10,000.

#### Eligible Practices

##### FP1. Planting Trees

This practice is intended to increase the production of timber and improve the environment. Site preparation is an authorized part of the practice if certified by the forester as being necessary. Information on eligible species and planting requirements is available from the State forestry agency or ASCS office in participating counties.

##### FP2. Improving a Stand of Forest Trees

This practice is aimed at increasing growth of trees on sites suitable for production of saw-timber and veneer logs. Both softwood and hardwood improvement practices will qualify. Pre-commercial thinning, pruning of crop trees, and releasing desirable seedlings and young trees are acceptable measures.

##### FP3. Site-Preparation for Natural Regeneration

This practice is intended to reduce or eliminate competing vegetation, including unmerchantable or undesirable trees and brush, and to create soil conditions suitable for the natural establishment of seedlings representing the desired tree species. An appropriate seed source must be in adequate supply before site preparation is performed.

